

Bristol Bay Native Corporation

Enriching Our Native Way of Life

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VIA FACSIMILE: (907) 465-3075

December 13, 2001

Mr. Randy Bates
Regulation Revision Project Leader
Division of Governmental Coordination
Office of the Governor
P.O. Box 110030
Juneau, Alaska 99811-0030

**Subject: Bristol Bay Native Corporation's Comments on 2nd Public
Notice Draft of Proposed Coastal Consistency Review Process
Regulations**

Dear Mr. Bates:

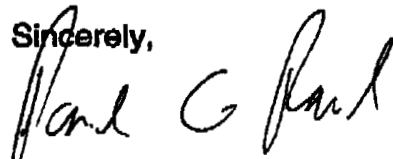
Bristol Bay Native Corporation (BBNC) appreciates the opportunity to comment on the October 1, 2001 draft ("Draft") of the Division of Governmental Coordination's (DGC's) proposed amendments to its coastal management consistency review process regulations. Some of our concerns regarding the Draft include the following:

- Every activity requiring a permit on the "C List" will be subject to consistency review. The C List, unfortunately, captures activities that may not have material impacts on the coastal area. Further, instead of merely referencing the C List, the List should be included as part of the regulation.
- Coastal reviews should be confined to activities that will have, and not may have, direct and significant impacts upon the coastal lands and waters of the state. This broad-brush requirement means that all projects, even seemingly inconsequential ones, receive the same level of scrutiny. Not only does this tie up limited state resources, it delays projects across the board: small projects that shouldn't get scrutiny get it, and big projects that should get more scrutiny are delayed because of the focus on lower or no impact projects.
- An application should be determined complete, or not complete, within 7 days of its submittal to DGC. The draft language, which states that the completeness of an application will be determined "as soon as practicable," is vague and may unnecessarily delay projects.

- A flowchart showing the consistency determination process should be created and included in the application packet. Flowcharts illustrating the elevation and petition processes should also be included. These visual tools should help the public customer better understand the processes.
- "Alternative measures;" i.e., "homeless stipulations," seem baseless, illegal, and geared toward delaying the consistency determination process. In this apparent misread of legislative intent, the consistency determination process seems to "morph" into a bona fide permitting process.

Though we appreciate DGC's attempt to improve the consistency determination process, we believe the issues identified above are some of the major ones that should be remedied. BBNC, other ANCSA corporations, and the permitting public would like to help you craft a practical, user-friendly consistency determination process.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul C. Roehl". The signature is fluid and cursive, with the first name "Paul" being the most prominent.

Paul C. Roehl
Vice-President, Land & Resources